

See for \$4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Midgley, et al.

Application No.: 09/465436

Filed: December 16, 1999

For: SYSTEMS AND METHODS  
FOR BACKING UP DATA FILES



Attorney Docket No: NTK-005.01

Group Art Unit: 2771

Examiner: Not Assigned

**CERTIFICATE OF FIRST CLASS MAILING (37 CFR 1.8(A))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231 on the date set forth below.

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By: C. F. Coker  
Eugene Coker

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Assistant Commissioner for Patents  
Washington, D.C. 20231

**PETITION FOR FIVE-MONTH EXTENSION OF TIME**

Sir:

Applicants respectfully request a five-month extension of time pursuant to 37 CFR 1.136(a) in which to respond to the Notice to File Missing Parts of Application. A check in the amount of \$1,850.00 is enclosed which covers the total amount due for the extension of time.

09/11/2000 JADD01 00000001 09465436

01 FC:128 1850.00 DP

01/15/2002 AKELLEY 00000002 061188  
01/15/2002 AKELLEY 00000001 09465436  
Ref: 01/15/2002 AKELLEY 1850.00 CR  
Name/Number: 09465436  
\$1850.00 CR

01/15/2002 AKELLEY 00000024 061188  
01/15/2002 AKELLEY 00000001 09465436  
\$1850.00 CR

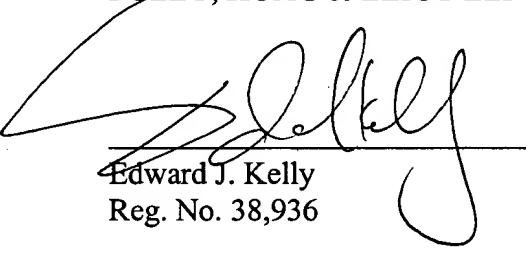
We believe that we have appropriately provided for fees due in connection with this submission, however, if there are any other fees due in connection with the filing of this Response, please charge the fees to our **Deposit Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully submitted,  
FOLEY, HOAG & ELIOT LLP

Dated: 15 Sept 2000

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Reg. No. 38,936

**UNITED STATES PATENT & TRADEMARK OFFICE**  
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REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>1/14/02</u>		2 Serial/Patent # <u>09/405436</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
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<input checked="" type="checkbox"/>	Extension of Time	445	9/7/00	\$ 1850. <sup>00</sup>
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):			
<p><i>Petitioner qualifies for small entity. 5 mos. EDT being refunded. Then, using the correct mailbox date, 5 mos. EDT along w/other fees will be re-charged as Small Entity.</i></p>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Andrea Coram</u>		TITLE: <u>Pts. Exmr.</u>		
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